**THE HON'BLE SMT. JUSTICE T. MEENA KUMARI**
**AND**
**THE HON'BLE SRI JUSTICE G. CHANDRAIAH**

**WRIT PETITION No.13253 of 2007**

**Date 25-6-2007**

**Between:**
**V. Kasinath**

**.....PETITIONER**

**AND**

**The Superintendent of Police, Adilabad District and others.**

**.....RESPONDENTS**

**THE HON'BLE SMT. JUSTICE T. MEENA KUMARI**
**AND**
**THE HON'BLE SRI JUSTICE G. CHANDRAIAH**

**WRIT PETITION No.13253 of 2007**

ORDER: (per Smt. T. Meena Kumari,J)

The petitioner filed the present writ petition seeking a writ of Certiorari to call for the records relating to and connected with the orders dated 28.1.2006 passed in O.A. No.2885 of 2002 on the file of the A.P. Administrative Tribunal, Hyderabad and to quash or set aside the same by holding it as erroneous and contrary to law.

Petitioner herein filed O.A. No.2885 of 2002 before the Administrative Tribunal assailing the letter in C. No. 1591/A3/2001, dated 1.2.2002 of the 1st respondent whereunder the 1st respondent directed the 3rd respondent herein to recover an amount of Rs. 2,06,030/- from the pension of the petitioner towards penal rent.

The 1st respondent having found that the petitioner unauthorisedly occupied the Government quarter earmarked for the purpose of Officers belonging to CID even after his transfer away from CID to Warangal Range, issued the impugned proceedings dated 1.2.2002 directing the 3rd respondent to recover an amount of Rs.2,06,030/- from his pensionary benefits towards penal rent for the period pertaining to 30.6.2001. Questioning the same, he filed the aforementioned O.A. before the Tribunal. The Tribunal through the impugned order dismissed the O.A. while upholding the order of the 1st respondent. Hence, the present writ petition.

Even though the petitioner was transferred from Hyderabad to Warangal Range, the petitioner did not vacate the quarters of CID Officers

and continued to be in unauthroized occupation of the same for over a decade. The respondents, therefore, initiated action to recover an amount of Rs.2,06,030/- towards penal rent. Since the petitioner is an unauthorized occupier of the quarters specifically meant for the CID Officers for over a decade, the respondents have initiated action for recovery of penal rent and the same cannot be found fault with. The Tribunal while taking this fact into consideration, rightly dismissed the O.A. filed by the petitioner.

In the circumstances, we do not find any illegality or irregularity in the order of the Tribunal warranting interference.

The writ petition fails and the same is accordingly dismissed. No costs.

_____

T. Meena Kumari,J

Date: 25th June, 2007

_____

G. Chandraiah, J

pnb